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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/875,462	06/05/2001	Jean-Michel Rosset	B-4198 618840-8	6266

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EXAMINER

AL AUBAIDI, RASHA S

ART UNIT	PAPER NUMBER
2642	6

DATE MAILED: 03/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/875,462

Applicant(s)

ROSSET ET AL.

Examiner

Rasha S AL-Aubaidi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 June 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4. 09/04/2001</u> . | 6) <input type="checkbox"/> Other: _____  |

***Drawings***

***Objections***

1. The drawings are objected to because Fig. 1 and Fig. 3 appear to be inconsistent.

Component 1121 (in Fig. 3) is neither discussed in the specification, nor shown in Fig. 1. Fig. 1 has VPN but not component 1121.

Fig. 3 shows no "user customer premise".

In Fig. 3, component 430 (multiplexer) and component 400 are separate components, while in Fig. 1 component 400 contains component 430 (multiplexer).

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims.

For example, the claimed "call switching unit" as recited in the independent claims (1, 16, 23, and 24), the claimed "processing means" as recited in the independent claims (1, 16, 23, 24 and 25), the claimed "hosted call switching unit" as recited in independent claims (11 and 25) also in dependent claim (10), and the claimed "private data channel" as recited in independent claims (1, 3) must be shown or the feature(s) canceled from the claim(s). Again, all the claimed components must be shown in the drawings. No new matter should be entered.

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A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

***Specification***

3. The disclosure is objected to because of the following informalities: On page 14 of the specification and precisely on line 4, "Or course" should be changed to --Of course--. Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 1, 11-10, 16, and 23-25 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The claimed "call switching unit" as recited in the independent claims (1, 16, 23, and 24), the claimed "processing means" as recited in the independent claims (1, 16, 23, 24 and 25), the claimed "hosted call switching unit" as recited in independent claims

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(11 and 25) also in dependent claim (10), the claimed "private data channel" as recited in independent claims (1), the claimed "private channel" as recited in independent claim (16), and the claimed "private secure data channel" as recited in independent claim 25, are neither discussed in the specification, nor shown in the drawings.

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1, 5, 16, and 23-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1, on page 18, recites "whereby said subscriber telephony component can communicate with other components of said subscriber's information system". The use of "can" is indefinite.

Claims 16 and 23-25 are rejected for the same reasons as discussed above with respect to claim 1.

Claim 5 recites the limitation "said private secure data channel". There is insufficient antecedent basis for this limitation in the claim.

The claims, language is inconsistent. For example, it is unclear whether the terms "private data channel", claim 1, "private secure data channel", claim 5, and "private channel", claim 16 refer to the same element.

***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lindeberg et al (US PAT # 6,094,479) teaches a computer telephony integration gateway which disclose a telecommunication system that combines the benefits that are provided by a public intelligent network and a customer premise (CPE)-based private network in order to provide an enhanced telecommunication services (see abstract). All the events related to the requested service will be returned via the network gateway, which includes a CTI interface (see FIG. 1).

Henderson (US PAT # 6,647,109) teaches a telephony system and method for providing telephony services to remote users; this telephony system comprises a user side and a provider side. The user side includes a telephony instrument and a personal computer for establishing communication with the provider side via a communication gateway, a communication device and a wide area network, such as the Internet. The provider side includes a virtual private network in communication with the wide area network and a communication network (see abstract, also FIG. 2).

Lockhart (US PAT # 6,496,702) teaches a method and apparatus for providing enhanced communication capability for mobile devices on a virtual private network (VPN).

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9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S AL-Aubaidi whose telephone number is (703) 605-5145. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Examiner

Rasha S Al-Aubaidi

03/16/2004

  
AHMAD MATAR  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600